

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA :  
:  
v. : Case No. 1:08-CR-00366-RLC  
:  
JAMES TREACY, :  
:  
Defendant. :  
:  
-----x

**DEFENDANT JAMES TREACY'S MOTION TO STRIKE THE TERM  
"BACKDATING" FROM THE INDICTMENT**

Defendant James Treacy, through counsel, hereby moves this Court, pursuant to Fed. R. Crim. P. 7(d), to strike all reference in the Indictment to the term "backdating" (or any variations thereof such as "backdate" or "backdated") on the grounds that the term carries a connotation of illegal or unethical conduct which could unfairly prejudice the jury in this case.

Respectfully submitted,



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Dated: June 30, 2008